

REMARKS

Claims 1, 2, 4-6 and 8-10 have been amended. Claims 3, 7 and 11-20 have been cancelled. The Specification has been amended.

The Examiner has objected to applicant's title as not being descriptive. Applicant has amended the title to read "COMMUNICATION APPARATUS AND METHOD FOR DISCRIMINATING CONFIDENTIALITY OF RECEIVED DATA ." The aforesaid title is believed to be descriptive of the invention, thereby obviating the Examiner's objection.

The Examiner has rejected applicant's claims 1-7, 9 and 10 under 35 U.S.C. §102(e) as being anticipated by the Schneider, et al. patent (US 6,105,027). The Examiner has also rejected claims 11-13, 15, 16, 19 and 20 under 35 U.S.C. §102(e) as being anticipated by the Inoue, et al. patent (US 6,167,513). Applicant's claim 8 has been rejected under 35 U.S.C. §103(a) as being unpatentable over the Schneider, et al. patent in view of the Perlman patent (US 6,363,480). Applicant's claim 14 has been rejected under 35 U.S.C. §103(a) as being unpatentable over the Inoue, et al. patent in view of the Rahtgen (US 4,882,779) patent and applicant's claims 17 and 18 have been rejected under 35 U.S.C. §103(a) as being unpatentable over the Inoue, et al. patent in view of the Perlman patent.

Applicant has cancelled applicant's claims 3, 7, and 11-20, thereby obviating the Examiner's rejections with respect to these claims. Applicant has amended independent claims 1, 9 and 10, and with respect to such claims and their respective dependent claims, the Examiner's rejections are respectfully traversed.

Applicant's independent claims 1, 9 and 10 have been amended to better define

applicant's invention. More particularly, amended independent claim 1 now recites a discrimination means for discriminating if the received data is confidential data and a control means for controlling to alter a method of providing said received data. Applicant's independent claims 9 and 10 have been similarly amended.

The constructions recited in applicant's independent claims 1, 9 and 10 are not taught or suggested by the cited art of record. In particular, the Examiner has argued that the Schneider, et al. patent discloses a communication apparatus for transferring data received from a first network to a second network, the apparatus comprising: first discrimination means for discriminating the destination information of the received data (column 26, lines 28-61); second discrimination means for discriminating the secrecy level information of the received data; and control means for executing the transfer of the received data, according to the result of discrimination by the first and second discrimination means (column 17 line 66 to column 18 line 12). The Examiner has also argued that the Schneider, et al. patent discloses that the secrecy level information includes whether the received data are confidential data (column 17 line 66 to column 18 line 12) and that the control means transfers the received data with encryption, according to the discrimination by at least either of the first and second discrimination means (column 21, lines 15-52).

Applicant has reviewed the passages cited by the Examiner and there is nothing taught or suggested in the Schneider, et al. patent of controlling to alter a method of providing the received data. Particularly, the Schneider, et al. patent is directed to controlling access to data of a resource or server in accordance with the sensitivity level of the data requested, the trust level of the user and the trust level of the components of the network through which the requested data is

to be transmitted. Col. 19, line 46 to Col. 21, line 6. Column 21, lines 15-52 of the Schneider, et al. patent, cited by the Examiner, discloses that if one or more segments of the network through which the data of a resource is to be transmitted has a lower trust level than is required by the sensitivity level of the data, then the access filter will encrypt the transfer session to bring it up to the necessary trust level. In particular, the Schneider, et al. patent only discloses changing the encryption level of the session based on sensitivity of the data of a resource and the trust level of the network components before access to the data is allowed. Col. 21, lines 15-52; Col. 48, lines 50-55. Thus, the Schneider, et al. patent deals with accessing data stored in a resource and does not address the transfer of the data after it is received and the changing of a method of providing such received data. Accordingly, the Schneider, et al. patent does not teach or suggest a control means for controlling to alter a method of providing the received data.

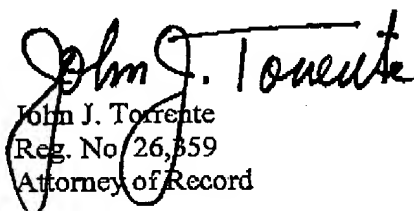
Applicant's independent claims 1, 9 and 10, and their respective dependent claims, all of which recite such features, thus patentably distinguish over the Schneider, et al. patent. Moreover, the Inoue, et al., the Perlman and the Rahtgen patents add nothing to the Schneider, et al. patent to change this conclusion.

In view of the above, it is submitted that applicant's claims, as amended, patentably distinguish over the cited art of record. Accordingly, reconsideration of the claims is respectfully requested.

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Respectfully submitted,


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